

DETAILED ACTION

1. This action is responsive to the amendment filed 06/07/2011.

Claims 9-12 are currently pending in this application. Claims 9 and 10 have been amended. Claims 9-12 are independent Claims.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 9 -12 remain rejected under 35 U.S.C. 103(a) as being unpatentable over **Koyama** (US 6112010) in view of **Takahashi et al.** (US 6856760 B2).

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As to Claim 9:

Koyama teaches an information processing apparatus, including a hardware processor, that processes a plurality of pieces of data recorded on a non-transitory computer-readable medium (See Col. 1, line 56 – Col. 2, line 27: *the picture recording apparatus according to this invention electrically handles still pictures as picture data ... reading pictures (pictorial images) recorded on photographs or books, etc., video tape recorder equipment for reproducing still pictures recorded on a video tape to input them, optical disc reproducing (playback) equipment for reproducing still pictures recorded on an optical disc*), comprising the steps of:

- identification means for identifying encoding systems for the plurality of pieces of data in an edit for which they are connected and successively reproduced (See Col. 6, lines 17 – 65: *management file for carrying out management of correspondence information between respective files in the plurality of picture files, and management information for carrying out, in predetermined recording units of the recording medium, relative position on the recording medium between the management file and the picture file ... a data management structure to designate a desired picture file from the plural picture files having different resolutions on the basis of management data of the management file to designate position on the recording medium within the picture file designated by the management file on the basis of the management data of the management information ... since management information for designating picture file are all recorded within the management file, even in the case where correspondence*

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state (situation) between picture files and the display order of pictures are changed by editing operation; See also, Col. 22, line 60 - Col. 26, line 5 and Col. 66, lines 45 – Col. 68, line 36);

- generation means for generating one management information file that manages the result of the edit so that the management information file contains a group name representing each of the plurality of encoding systems of the plurality of pieces of data that were used when the management information file was edited to (see Col. 6, Line 48 – Col. 8, Line 8: *since the management data necessary for recording/reproducing picture files in which respective picture data are recorded are concentrated in the management file and the management information table (data U-TOC), access only to the management file and the management information is provided, thereby making it possible to carry out, at a high speed, retrieval of picture files on the disc ... since management information for designating picture file are all recorded within the management file, even in the case where correspondence state (situation) between picture files and the display order of pictures are changed by editing operation, etc., it is sufficient to change only information of the management file without the need for reading out the high resolution file itself and the intermediate resolution picture file itself ... a recording medium having hierarchical directory structure including directory and subdirectories formed below (at the lower level (layer) of) the directory. Within the directory, there are provided a first management file for carrying out*

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management of all subdirectories of the subdirectories formed at the lower level of the directory, and a first index file which records index picture for indicating at least one picture file of picture files recorded in the subdirectories formed at the lower level of the directory) and recording the management information file in a directory of the computer-readable medium attachable and detachable to and from the information processing apparatus (see Col. 30, Lines 15 – 49: ID maximum value is recorded. ID numbers are attached to the directory or the data file in the order of generation ... as the length of the volume management area, byte length thereof is recorded. Moreover, the first allocation block NO of the volume management area is recorded as the position on the disc of the volume management area ... boot system ID, volume ID and character set code thereof, publisher ID and its character set code, data prepare ID and its character set code, application ID and its character set code are recorded. Moreover, date at which the volume is formed, date at which the volume is updated, expiration date and effective date are recorded. Further, the area of 1024 to 2047 bytes in the data area is caused to be system extension area); and

- determination means for reading the management information file generated by the generation means and recorded on the computer-readable medium and determining reproducibility of all the plurality of pieces of data according to the group name contained in the management information file when the plurality of pieces of data are reproduced as the result of the edit (See Col. 63, lines 34-64: *the*

*system controller 6 controls the disc recording/reproducing section 5c so as to read out all management files (overall information management file, picture data management files of respective directories, print control data management file, reproduction control management file) through the storage section controller 5d, and temporarily stores, into the RAM 6a, the all management files which have been read out... it is necessary to display what picture data are recorded in respective directories to cause the user to designate desired picture ... so as to display overall index file recorded on the optical disc 20. Thus, the processing operation proceeds to step S129. The overall index file is a file in which index picture data which are the same as an arbitrary one index picture of index picture data stored in the picture index files below (at the lower level of) respective picture directories are registered in display order of monitor. By monitor-displaying the overall index file, the user can carry out designation of desired index picture; see Col. 68, lines 1-7: At the step S160, the system controller 6 controls the disc recording/reproducing section 5C so as to read out data U_
TOC, overall information management file and picture data management file in the RAM 6a to write them onto the disc to thereby update the respective data. Thus, the entire routine according to the editing operation of picture is completed; see also, Figs. 38 and 46).*

Koyama does not teach the directory for the management information file being different from other directories of the computer-readable medium.

Takahashi teaches the directory for the management information file being different from other directories of the computer-readable medium (See Col. 10, line 38 – Col. 11, line 26: *numeral 201 is a root directory, which is the top hierarchical layer of the logic data file management structure on an optical disk, which is a recording medium ... although moving picture thumb nail and still picture thumb nail are not separated in different directories in this embodiment, they may be separated in different directories*).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Koyama with Takahashi because it would have provided the enhanced capability for reproducing both moving and still pictures, which can reproduce the recording medium on which pictures are recorded.

As to Claim 10:

Refer to the discussion of Claim 9 above for rejection. Claim 10 is the same as Claim 9, except Claim 10 is an information processing method Claim and Claim 9 is an information processing apparatus Claim.

As to Claim 11:

Refer to the discussion of Claim 9 above for rejection. Claim 11 is the same as Claim 9, except Claim 11 is a recording medium Claim and Claim 9 is an information processing apparatus Claim.

As to Claim 12:

Refer to the discussion of Claim 9 above for rejection. Claim 12 is the same as Claim 9, except Claim 12 is a program Claim and Claim 9 is an information processing apparatus Claim.

Response to Arguments

3. Applicants' arguments filed 06/07/2011 have been fully considered but they are not persuasive.

Applicant argues in substance that Koyama does not teach “*generation means for generating one management information file that manages the result of the edit so that the management information file contains a group name representing each of the plurality of encoding systems of the plurality of pieces of data that were used when the management information file was edited*”.

In response, Koyama's teaching “*since the management data necessary for recording/reproducing picture files in which respective picture data are recorded are concentrated in the management file and the management information table (data U-TOC), access only to the management file and the management information is provided,*

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thereby making it possible to carry out, at a high speed, retrieval of picture files on the disc ... since management information for designating picture file are all recorded within the management file, even in the case where correspondence state (situation) between picture files and the display order of pictures are changed by editing operation, etc., it is sufficient to change only information of the management file without the need for reading out the high resolution file itself and the intermediate resolution picture file itself ... a recording medium having hierarchical directory structure including directory and subdirectories formed below (at the lower level (layer) of) the directory. Within the directory, there are provided a first management file for carrying out management of all subdirectories of the subdirectories formed at the lower level of the directory, and a first index file which records index picture for indicating at least one picture file of picture files recorded in the subdirectories formed at the lower level of the directory” (Col. 6, Line 48 – Col. 8, Line 8) reads-on the limitation as claimed.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact information

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (571) 272- 4093. The examiner can normally be reached on Monday - Friday from 9:00am – 5:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached at (571) 272-4137.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/MaiKhanh Nguyen/

Primary Examiner, Art Unit 2176